



Minnesota Timber Producers Association

903 Medical Arts Building • 324 W. Superior St. • Duluth, Minnesota 55802
Phone 218-722-5013 • Fax 218-722-2065

123650

2/28/01

February 28, 2001

01117-6 AM11:50
DEPT OF TRANSPORTATION

U.S. Department of Transportation
Dockets Management Facility, Rm. PL-401
400 Seventh Street, SW:
Washington, DC 20590-0001

To Whom It May Concern:

46

Subject: Docket No. FMCSA-97-2289, Development of a North American Standard for Protection Against Shifting and Falling Cargo

Minnesota Timber Producers Association (MTPA) is a trade association of the Loggers truckers and primary manufactures of forest products in Minnesota with over 400 member businesses. MTPA is vitally interested in matters affecting safety, including transportation safety.

We are pleased to submit these comments in response to the above-referenced Notice of Proposed Rulemaking (NPRM) published by the Federal Motor Carrier Safety Administration (FMCSA) on December 18, 2000, and entitled, "Development of a North American Standard for Protection Against Shifting and Falling Cargo."

SUMMARY OF COMMENTS

The membership of MTPA supports FMCSA's goal of improved load securement regulations.

The proposed regulations are based on framework worked out through a joint program primarily run by the Canadian Council of Motor Transport Administrators and the United States Federal Highway Administration. MTPA participated, in conjunction with the forest products industry through the Forest Resources Association Inc. (FRA) and the North Carolina Forestry Association (NCFA), and made comments as the project proceeded. During this process there have been many "lively" debates which have influenced many improvements in this product.

MTPA recognizes the wide verity of wood products (raw material) hauled from the forest to the mills from Canada, the United States and Mexico. Our comments are based on the products moved in Minnesota and the Lake States and will specifically address Section 393.122 "What are the rules for securing logs." In our area approximately 80

February 28, 2001

percent of the wood moved is pulpwood, 100-inches in length. Regulations affecting the securement of this type of material will have a major impact on the transportation of logs.

COMMENTS

Section 393.122 (d) (1)

Requires shortwood loaded hauled lengthwise, cradled in bunk units must be secured with two tiedowns. Shortwood is defined as wood shorter than 16 feet in length. In the Lake States the majority of wood moved is 100-inches in length. Logs are required to be contained by bunks, stakes, bolsters, standards, or other equivalent means that prevents them from rolling. Requiring two tiedowns for each stack of logs is more stringent than the general requirement of one tiedown for the first 10 feet and additional tiedowns for each additional 10 feet in length especially when considering the required bunks, stakes, etc.

We would suggest language that requires any shortwood log or stack of logs over 12 feet long be required to have two tiedowns. Logs shorter than 12 feet in length cradled by bunks, stakes, bolsters, standards, or other equivalent means should be required to have only one tiedown.

Section 393.122 (e) (1)

Requires rail trailers hauling logs crosswise to have the bottom tier of logs supported by vehicle structure within 12 inches (30 cm) of each end. What is the definition of "vehicle structure"? There are several trailer manufactures in the Lake States area that manufacture rail trailers. Some of them have put right angle supports extending outward from the rail which supports a cable threaded through an eye on the end of the support. Would that be considered part of the vehicle structure?

This requirement will require extensive modification of rail trailers in the Lake States area which will have an economic impact on the logging and hauling businesses in and already economically stretched situation.

Presently log haulers in Minnesota are restricted to a gross vehicle weight of 80,000 pounds. With this weight limitation and increased weight required by retrofitting, these trailers will have a reduced payload which will reduce profit margins even more.

Section 393.122 (f) (3)

Requires two tiedowns for each stack of logs. Each stack of logs is required to be contained by stakes. Why are the requirements more stringent than the general rule

February 28, 2001

which requires one tiedown for every 10 feet of length?

MTPA's comments are the same as those for Section 393.122 (d) (1) above.

Implementation date for the new rule.

The period given for comments on this docket closes March 19, 2001. Should the rule go into effect on July 1, 2001, as suggested in the docket That would leave less than 3 and 1/2 months to release the final rules, develop a training package and train the enforcement personnel and the motor carriers. This is not enough time to evaluate the securement rule and change vehicles over to meet the new requirements.

It will take at least a year to do the training of the enforcement, motor carriers and drivers, plus, the time to change the equipment to comply with the new rule.

Thank you for the opportunity to comment. If you have any questions contact the MTPA office.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bruce Barker".

Bruce Barker
Assistant Vice President